

By Blythe-Caraway-Watson

H.B. No. 1974

A BILL TO BE ENTITLED

AN ACT

relating to the creation, administration, powers, duties, functions, and financing of metropolitan water authorities under Article XVI, Section 59, of the Texas Constitution; amending the Water Code, as amended, by adding Chapter 59; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. The Water Code, as amended, is amended by adding Chapter 59 to read as follows:

"CHAPTER 59. METROPOLITAN WATER AUTHORITIES

"SUBCHAPTER A. ADMINISTRATIVE PROVISIONS

"Sec. 59.001. DEFINITIONS. In this chapter:

"(1) 'Authority' means a metropolitan water authority.

"(2) 'Board' means the board of directors of a metropolitan water authority.

"(3) 'Commission' means the Texas Water Rights Commission.

"(4) 'City' means any city, town, or home-rule city.

"(5) 'Special district' means any district created under authority of Article III, Section 52(b), Subsections (1) and (2), or Article XVI, Section 59, of the Texas Constitution, which provides water and sewer services or either of these services to household users as the principal function of the district."

[Sections 59.002-59.010 reserved for expansion]

1 "SUBCHAPTER B. CREATION OF AUTHORITY

2 "Sec. 59.011. CREATION OF AUTHORITY. A metropolitan water
3 authority may be created under and subject to the authority,
4 conditions, and restrictions of Article XVI, Section 59, of the
5 Texas Constitution.

6 "Sec. 59.012. PURPOSES OF AUTHORITY. An authority may be
7 created for the following purposes:

8 "(1) to provide a water supply and sewer services
9 to all persons in the authority;

10 "(2) to acquire, construct, and operate water supply
11 and sewer systems for use inside the authority;

12 "(3) to sell water; and

13 "(4) to regulate and manage the use of surface water
14 and groundwater within the authority.

15 "Sec. 59.013. COMPOSITION OF DISTRICT. An authority shall
16 include all of the cities and special districts located in each
17 county that is a part of the district.

18 "Sec. 59.014. CREATION PROCEDURE. An authority shall be
19 created by the commission in the manner provided in Subchapter
20 B, Chapter 54, of this code in so far as those provisions can be
21 made applicable. The provisions of Section 54.016 of this code
22 do not apply to creation of an authority.

23 [Sections 59.015-59.040 reserved for expansion]

24 "SUBCHAPTER C. ADMINISTRATIVE PROVISIONS

25 "Sec. 59.041. BOARD OF DIRECTORS. An authority shall be
26 governed by a board of 12 directors.

27 "Sec. 59.042. GENERAL ADMINISTRATIVE PROCEDURE. The board

1 shall be elected in the manner and for the terms provided in
2 Subchapter C, Chapter 54 of this code for boards of municipal
3 utility districts, and the administration of the authority shall
4 be governed by the provisions of Subchapter C, Chapter 54, of
5 this code.

6 [Sections 59.043-59.080 reserved for expansion]

7 "SUBCHAPTER D. POWERS AND DUTIES.

8 "Sec. 59.081. GENERAL POWERS. An authority may take any
9 action necessary and issue any rules and orders to:

10 "(1) provide a water supply and sewer services to
11 all persons in the authority;

12 "(2) acquire, construct, and operate water supply
13 and sewer systems for use inside the authority;

14 "(3) sell water; and

15 "(4) regulate and manage the use of surface water
16 and groundwater inside the district.

17 "Sec. 59.082. RULES, CONSTRUCTION, AND OTHER POWERS AND
18 DUTIES. The authority may exercise any of the powers and shall
19 exercise the duties provided for municipal utility districts under
20 Subchapter D, Chapter 54, of this code in so far as applicable.

21 [Sections 59.083-59.110 reserved for expansion]

22 "SUBCHAPTER E. GENERAL FISCAL PROVISIONS

23 "Sec. 59.111. EXPENDITURE, DEPOSITORY, MAINTENANCE TAX,
24 ETC. An authority shall be governed by the general fiscal
25 provisions applicable to municipal utility districts under Chapter
26 54 of the Water Code.

27 [Sections 59.112-59.140 reserved for expansion]

1 "SUBCHAPTER F. ISSUANCE OF BONDS

2 "Sec. 59.141. GENERAL AUTHORITY. The authority may issue
3 bonds to provide funds for carrying out the provisions of this
4 Act in the manner provided for municipal utility districts under
5 Subchapter F, Chapter 54, of this code.

6 [Sections 59.142-59.180 reserved for expansion]

7 "SUBCHAPTER G. TAXES

8 "Sec. 59.181. TAX LEVY. The authority shall levy a tax
9 on all property in the authority in an amount that is sufficient
10 to pay the principal of and interest on bonds issued by the
11 district.

12 "Sec. 59.182. TAX ASSESSMENT. The authority shall assess
13 all property located inside its boundaries assessed for tax
14 purposes.

15 "Sec. 59.183. TAX COLLECTION. The authority shall employ
16 an assessor and collector of taxes who shall assess the property
17 in the authority and shall collect taxes on the property in the
18 authority.

19 "Sec. 59.184. OTHER TAX PROVISIONS. Except as provided
20 in this subchapter, the authority shall levy, assess, and collect
21 taxes in the manner provided for municipal utility districts under
22 Subchapter G, Chapter 54, of this code.

23 [Sections 59.185-59.210 reserved for expansion]

24 "SUBCHAPTER H. ANNEXATION

25 "Sec. 59.211. ADDING TERRITORY TO AUTHORITY. Territory
26 may be added to the authority in the manner provided in Chapter
27 54 of this code."

1 Sec. 2. The importance of this legislation and the crowded
2 condition of the calendars in both houses create an emergency and
3 an imperative public necessity that the constitutional rule
4 requiring bills to be read on three several days in each house
5 be suspended, and this rule is hereby suspended, and that this
6 Act take effect and be in force from and after its passage, and
7 it is so enacted.

H.B. No. 1974

By John P. Carey

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as amended, by adding Chapter 59; and declaring an emergency.

MAR 14 1975

MAR 27 1975

1. Filed with the Chief Clerk of the House.
2. Read first time and Referred to Committee on Natural Resources
3. Fiscal note requested from Legislative Budget Board by _____
4. Reported favorably (unfavorably) (as amended) and sent to Printer _____ M.
5. Printed, distributed by Calendar Clerk and sent to Committee on _____ M.
6. Read second time (amended) and ordered engrossed by (Non-record vote) (Record Vote of _____ yeas, _____ nays, _____ present and not voting).
7. Motion to reconsider the vote by which H. B. _____ was ordered engrossed and to table the motion to reconsider prevailed (failed) by (Non-record vote) (Record Vote of _____ yeas, _____ nays, and _____ present and not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of _____ yeas, _____ nays, and _____ present and not voting.
9. Read third time (amended) and finally passed by following vote: (Non-record vote) (Record Vote of _____ yeas, _____ nays, _____ present and not voting).
10. Caption ordered amended to conform to body of bill.
11. Motion to reconsider and table the vote by which H.B. _____ was finally passed prevailed (failed) by a (Non-record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present and not voting).
12. Sent to Engrossing Clerk _____
Chief Clerk of the House
13. Engrossed.
Engrossing Clerk of the House
14. Returned to Calendar Clerk _____
15. Sent to Senate.

- _____ 16. Received from the House _____
- _____ 17. Read, referred to Committee on _____
- _____ 18. Reported favorably _____
- _____ 19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.
- _____ 20. Ordered not printed.
- _____ 21. Regular order of business suspended by
(a viva voce vote.
(_____ yeas, _____ nays.
- _____ 22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.
- _____ 23. Read second time _____ passed to third reading by:
(a viva voce vote.
(_____ yeas, _____ nays.
- _____ 24. Caption ordered amended to conform to body of bill.
- _____ 25. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas, _____ nays to place bill on third reading and final passage.
- _____ 26. Read third time and passed by
(a viva voce vote.
(_____ yeas, _____ nays.

OTHER ACTION:

OTHER ACTION:

Secretary of the Senate

- _____ 27. Returned to the House.
- _____ 28. Received from the Senate (with amendments).